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SEP 3 2004

In re Application of:
William D. Jensen et al.
Serial No.: 09/970,074
Filed: October 2, 2001
For: **METHOD AND APPARATUS FOR
TRIMMING INTEGRATED CIRCUITS**

DECISION ON PETITION
TO WITHDRAW HOLDING
OF ABANDONMENT

This is a decision on the petition filed March 9, 2003, to withdraw the holding of abandonment in the above-identified application under 37 CFR § 1.181. No petition fee is required.

The petition is **GRANTED**.

The application was held abandoned for failure to timely reply to the restriction requirement mailed March 17, 2003. A Notice of Abandonment was mailed on August 27, 2003.

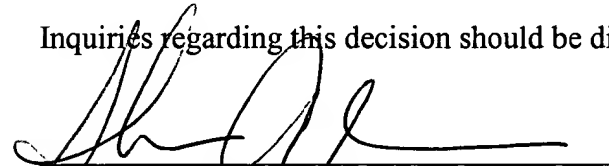
Petitioner asserts that the restriction requirement of March 17, 2003 was not received. To support this assertion, petitioner provided a copy of petitioner's docket records between March 18, 2003 and June 18, 2003, which indicates that the restriction requirement was not received. Petitioner further asserts that the examiner indicated that there was a mistake in the identification of the application serial number on the Office action, which led to the action being mailed to an incorrect address in Virginia.

A review of the file record indicates that the restriction requirement was mailed to an incorrect address of record on March 17, 2003. As indicated in the petition, the information (application number, correspondence address, filing date, inventorship, and attorney docket number...) that appears on the cover sheet of the restriction requirement was for a different application having no connection to the instant application. Although there are markings indicating that the application number on the cover sheet has been crossed out and replaced with the correct application number, other information was not corrected. The record fails to indicate that the restriction requirement has ever been mailed or re-mailed to the address of record. Accordingly, because the application was never mailed to the correspondence address of record, the applicant was not duly served notice that a reply was due. The holding of abandonment is improper and must be withdrawn.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Inconvenience to the applicant is regretted.

The application file is being forwarded to the Technology Center 2800 support staff for re-mailing the restriction requirement. The shortened statutory period for response will be reset to run from the date the action is re-mailed. Extensions of time are available under 37 C.F.R. § 1.136(a).

Inquiries regarding this decision should be directed to Hien H. Phan at (571) 272-1606.



Sharon A. Gibson, Director
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